

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
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In re:

Administrative Order 06-7

**Order Rescinding Administrative Order 06-4
in Order to Issue Further Clarifying Amendments
to Local Rule 5001-2(C) Regarding Court Security
and Electronic Devices**

In accordance with entry of Administrative Order 2006-16 of the United States District Court, Southern District of Florida, this court entered Administrative Order 06-4 which amended this court's Local Rule 5001-2(C) regarding court security and electronic devices. Upon further review, the court has determined it necessary to further amend Local Rule 5001-2(C) to ensure consistency in policies at those courthouse facilities that are shared with the district court with respect to attorneys excepted from the prohibition against entry to court environs with electronic devices. The district court applies the exception only to attorneys admitted to practice law within the Southern District of Florida with a valid Florida Bar identification card or attorneys who have been authorized to appear by pro hac vice order. Because this court's Local Bankruptcy Rule 2090-1(B)(1) permits attorneys not admitted to practice law in the Southern District of Florida or not authorized to appear by pro hac vice order to appear in limited instances before this court, the exception was extended to these attorneys also. However, this court recognizes that consistency in policy is necessary in those courthouse facilities shared by both the district and bankruptcy courts. Accordingly, it is **ORDERED** that:

1. Administrative Order 06-4 is rescinded and replaced with this Order. (The only changes are in paragraph 3(b) below "Exceptions").

2. Local Rule 5001-2(C) which reads as follows:

(3) Electronic Devices. Visitors with electronic devices, including but not limited to cell phones, pagers, personal data assistants (PDA), laptop computers, tape recorders, etc., will not be permitted to enter the 14th floor of the Claude Pepper Federal Building in Miami, or any areas of the West Palm Beach and Ft. Lauderdale courthouse buildings. This restriction shall not apply to individuals possessing valid identification identifying them as belonging to the following categories: federal courthouse employees, Florida Bar members or attorneys who have been authorized to appear by pro hac vice order, United States government or State of Florida law enforcement officers, court licensed court reporters, U.S. Trustees' Office staff and designated bankruptcy trustees and those possessing a written request signed by a federal judge or designated authority and verified by the U.S. Marshal's Service. Absent permission of the presiding judge, recording and communications devices must remain off while court is in session. Cameras of any type, including cell phones which have a camera device, shall not be allowed in these areas unless a written order signed by a federal judge and verified by the U.S. Marshal's Service is presented to the court security officer. This prohibition shall not apply to U.S. Probation Officers and courthouse employees.

is amended to read:

(3) Electronic Devices.

a) General Prohibition. All electronic devices including but not limited to cameras of any type (including cellular phones which have an integrated camera device), cellular phones, pagers, personal data assistants (PDA), laptop computers, tape recorders, etc., are not permitted on the 14th floor of the Claude Pepper Federal Building in Miami, or any areas of the West Palm Beach court offices or the Ft. Lauderdale courthouse building.

b) Exceptions. Notwithstanding paragraph (3)(a) above:

- 1) the restrictions against cellular phones (including phones with integrated camera devices), pagers, personal data assistants (PDA), laptop computers, tape recorders, etc., do not apply to individuals having official business within the court environs and possessing valid identification identifying them as belonging to the following categories: federal courthouse employees, an attorney

seeking entry to the Ft. Lauderdale or West Palm Beach¹ court environs admitted to practice law within the Southern District of Florida with a valid Florida Bar identification card, an attorney seeking entry to the Miami court environs with a valid Florida Bar identification card or attorneys who have been authorized to appear by pro hac vice order (this applies to attorneys only and precludes staff, investigators, clients, etc.), any special agent of the United States government or other law enforcement officer authorized to enforce the law within the Southern District of Florida, court licensed court reporters, U.S. Trustees' Office staff and bankruptcy trustees. Absent permission of the presiding judge, recording and communications devices must remain off while court is in session.

- 2) A judge or other designated authority may, by signed request forwarded to the U.S. Marshal for verification, allow a specific person access to the courthouse with a specific electronic device for a specific purpose and period of time.
- 3) In the event a jury panel is seated in a case or proceeding before this court, the exception set forth in paragraph I(F) of Administrative Order 2006-16 of the United States District Court, Southern District of Florida with respect to cellular phones and jurors shall apply.

c) Penalty for Violations. The penalty provisions set forth in Administrative Order 2006-16 of the United States District Court, Southern District of Florida, shall apply in this court for violations of this order.

ORDERED in the Southern District of Florida on September 20, 2006.

/s _____
ROBERT A. MARK
Chief United States Bankruptcy Judge

c: All SDFL Bankruptcy Judges
Office of the U.S. trustee
All bankruptcy trustees
Clerk, U.S. District Court, SDFL

¹When bankruptcy court operations in West Palm Beach are moved to the Waterview Building, 1515 N. Flagler Drive, West Palm Beach, Florida, 33401, individuals with official business within the West Palm Beach bankruptcy court environs will be subject to the Miami exceptions, namely, attorneys will be within the exception if they are members of the Florida Bar even if they are not admitted to practice law within the Southern District of Florida.